

REMARKS

I. Formalities

Applicant thanks the Examiner for acknowledging the election made without traverse of claims 1-3 and 8-12 and 17 in the Response to Restriction Requirement filed on November 1, 2004.

Applicant also thanks the Examiner for acknowledging the claim for foreign priority and for confirming receipt of the certified copy of the priority document submitted on March 26, 2001.

However, the Examiner did not indicate whether the Formal Drawings filed on March 26, 2001 are accepted. Applicant respectfully requests that the Examiner acknowledge and approve the aforementioned Formal Drawings.

II. Status of the Application

By the present amendment, claims 2, 9 and 11 have been amended. Claims 1-17 are all the claims pending in the application. Claims 4-7 and 13-16 are withdrawn from consideration. The Examiner has rejected claims 1-3, 8-12 and 17.

The present amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

III. Specification Objection

The Examiner has objected to the title of the invention as not descriptive. Applicant has replaced the present title with a new title as set forth above. The Examiner is requested to approve this new title.

IV. Claim Objections

The Examiner has objected to claims 2 and 11 for lack of clarity. Applicant has amended claims 2 and 11 as set forth above to correct the informalities noted by the Examiner. Thus, withdrawal of this objection is respectfully requested.

The Examiner has also objected to claim 9 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Further, the Examiner has urged Applicant to write claim 9 in independent form or to cancel claim 9. As set forth above, Applicant has rewritten claim 9 in independent form so as to include the recitations of its base claim 1. Therefore, Applicant respectfully requests that the Examiner withdraw this objection.

V. Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1-3, 8-12 and 17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,375,091 to Dakin *et al.*, (hereafter “Dakin”). Applicant respectfully traverses this rejection for *at least* the independent reasons stated below.

According to the MPEP, “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP § 2131. Applicant respectfully submits that claims 1-3, 8-12 and 17 positively recite limitations which are not disclosed (or suggested) by Dakin.

A. Independent Claim 1

For instance, independent 1 recites (among other things):

...a drive signal detecting device for
detecting a minimum value of said drive signal
required for moving the carriage device from a
still state thereof...

The grounds of rejection allege that the carriage controller 52, as disclosed in Dakin, corresponds to “a drive signal detecting device,” as recited in claim 1. The grounds of rejection also allege that the drive signal S4 corresponds to “a minimum value of said drive signal required for moving the carriage device from a still state thereof,” as further recited in claim 1.

Applicant respectfully disagrees. Dakin does not disclose or suggest that the carriage controller 52 detects a minimum value of a drive signal required for moving the carriage 24 from a still state thereof, as required by claim 1. Moreover, Dakin fails to disclose or suggest that S4 corresponds to a minimum value of a drive signal required for moving the carriage 24 from a still state thereof, as further required by claim 1.

In contrast to the requirements of claim 1, Dakin is directed toward solving the alleged shortcomings of prior art video disc players in which the carriage is translated at a uniform rate, greater than the normal play speed of the player, toward the target information track. (Column 1, lines 45-48). Indeed, Dakin discloses that in such prior art video disc players the carriage invariably travels past the location of the selected track and, consequently, it is necessary to drive the carriage once in the opposite direction to return to the target track. (Column 1, lines 55-58).

In an attempt to address this problem, Dakin discloses that the carriage controller 52 prescribes a sequence of drive signals (e.g., drive signals S1, S2, S3, and S4) to be applied to a

carriage driver 60 in order to move the carriage motor 28, and hence the carriage 24. (Column 6, lines 12-15). More particularly, Dakin discloses that the carriage controller 52 prescribes a preferred sequence for applying the drive signals to the carriage motor 28 as a function of the distance between the track currently being read and the track targeted for retrieval. (Column 6, lines 49-55). Thus, Dakin discloses that as the carriage 24 moves, and the distance to the target decreases, the drive signal to the carriage motor 28 is sequentially stepped downwardly as a sequence of distance thresholds are crossed. (Column 6, lines 55-60).

Accordingly, Dakin discloses that a prescribed deceleration of the carriage motor 28, and hence the carriage 24, is achieved as the target track is approached. (Column 6, lines 60-63). As a result, Dakin discloses that the carriage 24 is driven towards the target as rapidly as practicable without overexciting the carriage motor 28 and possibly overshooting the target. (Column 8, lines 42-45). By way of illustration, Figure 3 of Dakin shows a graph displaying the relationship between the speed of carriage 24 and the distance to a target track. With respect to Figure 3, Dakin discloses that the carriage drive signals S1-S4 represent four possible speeds at which the carriage motor 28 can be driven. (Column 6, lines 39-43).

Claim 1 explicitly requires the feature of detecting a minimum value of a drive signal required for moving the carriage 24 from a still state thereof. However, Dakin provides no disclosure or suggestion whatsoever that the carriage motor 28 detects a minimum value of a drive signal required for moving the carriage 24 from a still state thereof, as required by claim 1. To the contrary, Dakin merely discloses that drive signals S1-S4 represent four possible speeds

at which the carriage motor 28 can be driven, and that drive signal S4 is the slowest of these four possible speeds. (Column 6, lines 39-43, lines 46-48).

In fact, contrary to the grounds of rejection, the drive signal S4 disclosed in Dakin is completely different from a minimum value of a drive signal required for moving the carriage 24 from a still state thereof, as claimed. In stark contrast, Dakin explicitly discloses that the drive signal "...S4, corresponds to the normal play speed of the video disc player which results in translation of the carriage 24 at a rate equal to the recorded pitch of the information tracks." (Column 6, lines 43-46). Therefore, Dakin discloses that the drive signal S4 corresponds to the normal play speed of the video disc player. But, Dakin provides no suggestion that the drive signal S4 corresponds to a minimum value of a drive signal required for moving the carriage 24 from a still state thereof, as required by claim 1.

Therefore, Applicant respectfully submits that independent claim 1 is not anticipated by (i.e. is not readable on) the applied Dakin reference for *at least* these independent reasons. Further, Applicant respectfully submits that the dependent claims 2, 3 and 8 are allowable *at least* by virtue of their dependency on claim 1.

Thus, Applicant respectfully requests that the Examiner withdraw this rejection.

B. Independent Claim 9

Independent 9 recites (among other things):

... a drive signal detecting device for
detecting a minimum value of said drive signal
required for moving the carriage device from a
still state thereof...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 9. As such, it is respectfully submitted that claim 9 is patentably distinguishable over the cited Dakin reference *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

C. Independent Claim 10

Independent 10 recites (among other things):

... a process of detecting a minimum value of
said drive signal required for moving said
carriage device from a still state thereof...

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply *at least* by analogy to claim 10. As such, it is respectfully submitted that claim 10 is patentably distinguishable over the cited Dakin reference *at least* for reasons analogous to those presented above. Further, Applicant respectfully submits that the dependent claims 11-14 and 17 are allowable *at least* by virtue of their dependency on claim 10. Thus, the allowance of these claims is respectfully solicited of the Examiner.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 09/816,234

Docket No. Q63639

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

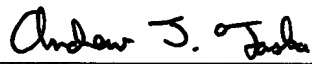
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